

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

AMBER DUTRO, GLENDA STRIPES,
SARAH DUTRO, MARTHA McKNELLY,
FRANCES SMITH, and CHRISTINA
MOORE,

Plaintiffs,

v.

COUNTY OF CONTRA COSTA,
CALVERY OPEN BIBLE CHURCH, CITY
OF ANTIOCH, ART ACOSTA,
DEMETREE BARAKOS, WILLIAM DEE,
JACK ROGERS, TOM POTTS, MARK
WOOD, ANTHONY LEE, and ROES 11 TO
100,

Defendants.

Case No. 12-cv-02972 NC

**ORDER GRANTING MOTION FOR
LEAVE TO FILE MOTION FOR
PARTIAL RECONSIDERATION**

Re: Dkt. No. 67

Defendants the City of Antioch, Art Acosta, Dimitri Barakos, and William Dee¹ move for leave to file a motion for partial reconsideration of this Court's October 18, 2012 order granting defendants' motion to dismiss under Civil Local Rule 7-9. Dkt. No. 67. The City defendants assert the Court erred in applying California Code of Civil Procedure § 340.1(a)'s delayed discovery rule to plaintiff Martha McKnelly's state law claims for sexual abuse. The City therefore seeks the Court's clarification as to the

¹ The County defendants filed a notice of joinder to the City's motion on November 8, 2012. Dkt. No. 68.

1 proper delayed discovery rule to apply to plaintiff Martha McKnelly's state law sexual
2 abuse claims.

3 The Court finds that the City has fully briefed its motion for reconsideration and
4 allows plaintiffs to submit supplemental briefing in opposition to the City's motion by
5 November 21, 2012. Plaintiffs' last date to file an amended complaint is extended to
6 November 30, 2012, and the case management conference scheduled for November 28,
7 2012 is CONTINUED to December 12, 2012 at 2:00 p.m., in Courtroom A, 15th Floor,
8 450 Golden Gate Ave., San Francisco.

9 IT IS SO ORDERED.

10 Date: November 14, 2012

11 
12 NATHANAEL M. COUSINS
13 United States Magistrate Judge
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28